



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Northwest Regional Office • 3190 160th Avenue SE • Bellevue, Washington 98008-5452 • (425) 649-7000

August 25, 2006

Mr. William R. Hegger
105th Street Associates, LLC
13110 NE 177th Place, # 202
Woodinville, WA 98072

Re: No Further Action Determination under WAC 173-340-515(5) for the following Hazardous Waste Site:

- Name: Alseth Auto Parts
- Address: 618 105th Street SW, Everett, Washington 98204
- Facility/Site No.: 2803
- VCP No.: NW1653

Dear Mr. Hegger:

Thank you for submitting your independent remedial action report for the Alseth Auto Parts facility (Site) for review by the State of Washington Department of Ecology (Ecology) under the Voluntary Cleanup Program (VCP). Ecology appreciates your initiative in pursuing this administrative option for cleaning up hazardous waste sites under the Model Toxics Control Act (MTCA), Chapter 70.105D RCW.

This letter constitutes an advisory opinion regarding whether further remedial action is necessary at the Site to meet the substantive requirements of MTCA and its implementing regulations, Chapter 70.105D RCW and Chapter 173-340 WAC. Ecology is providing this advisory opinion under the specific authority of RCW 70.105D.030(1)(i) and WAC 173-340-515(5).

This opinion does not resolve a person's liability to the state under MTCA or protect a person from contribution claims by third parties for matters addressed by the opinion. The state does not have the authority to settle with any person potentially liable under MTCA except in accordance with RCW 70.105D.040(4). The opinion is advisory only and not binding on Ecology.

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Ecology's Toxics Cleanup Program has reviewed the following information regarding the Site:

1. August 11, 2006, *Additional Soil Assessment and Cleanup Report, Former Alseth Auto Parts Site, 610 8 105th Street SW, Everett, Washington 98204*, letter report prepared by Noll Environmental, Inc.
2. July 9, 2005, *Alseth Cleanup Final Report*, report by Marsh Industrial Research
3. July 17, 1996, *Site Hazard Assessment*, completed by Snohomish Health District on behalf of Washington State Department of Ecology

The documents listed above will be kept in the Central Files of the Northwest Regional Office of Ecology (NWRO) for review by appointment only. Appointments can be made by calling the NWRO resource contact Sally Perkins at (425) 649-7190.

The Site is defined by the extent of contamination caused by the following release(s):

- Oil-range petroleum hydrocarbons, cadmium and lead in Soil

The Site is more particularly described in Enclosure A to this letter, which includes a detailed Site diagram. The description of the Site is based solely on the information contained in the documents listed above.

Based on a review of the independent remedial action report and supporting documentation listed above, **Ecology has determined that the independent remedial action(s) conducted at the Site are sufficient to meet the substantive requirements contained in MTCA and its implementing regulations, Chapter 70.105D RCW and Chapter 173-340 WAC, for characterizing and addressing the contamination at the Site.** Therefore, pursuant to WAC 173-340-515(5), Ecology is issuing this opinion that **no further remedial action is necessary** at the Site under MTCA.

Based on this no further action determination, Ecology will update the status of the Site on its site database and initiate the process for removing the Site from the Hazardous Sites List (HSL). Before deciding to remove the Site from the HSL, Ecology must first provide the public with notice and an opportunity to comment. If the Site is removed from the HSL, the Site will also be removed from the Confirmed and Suspected Contaminated Sites List.

This no further action determination does not apply to any other release(s) or potential release(s) of contaminant(s) that may impact any other portion of any property impacted by this Site, or any other property owned or operated by William R. Hegger.

Please note that this opinion is based solely on the information contained in the documents listed above. Therefore, if any of the information contained in those documents is materially false or

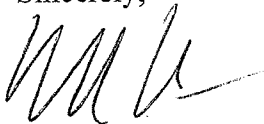
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misleading, then this opinion will automatically be rendered null and void and further remedial action may be required at the Site.

The state, Ecology, and its officers and employees make no guarantees or assurances by providing this opinion, and no cause of action against the state, Ecology, its officers or employees may arise from any act or omission in providing this opinion.

Again, Ecology appreciates your initiative in successfully completing cleanup under the VCP. If you have any questions regarding this opinion, please contact me at 425-649-7107.

Sincerely,

A handwritten signature in black ink, appearing to be 'Mark Adams', with a stylized flourish at the end.

Mark Adams
NWRO Toxics Cleanup Program

MA: nr

Enclosure: 1

cc: Michael Noll, Noll Environmental, Inc.